

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: YASUO KOISHIHARA.

Title: INHIBITOR OF LYMPHOCYTE ACTIVATION

Appl. No.: 09/760,723

Filing Date: January 17, 2001

Date:

Examiner: G. Ewoldt

Art Unit: 1644

RECEIVED

DEC 30 2003

TECH CENTER 1600/2900

DECLARATION

Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

Sir:

I declare:

1. A deposit of an anti-HM1.24 antibody-producing hybridoma has been made at the National Institute of Bioscience and Human Technology, Agency of Industrial Science and Technology, 1-3, Higashi 1-chome, Tsukuba City, Ibaraki, Japan. This deposit was accepted for patent purposes under the provisions of the Budapest Treaty, and was assigned the accession number FERM BP-5233.

2. The deposit having accession number FERM BP-5233 was made on April 27, 1995.

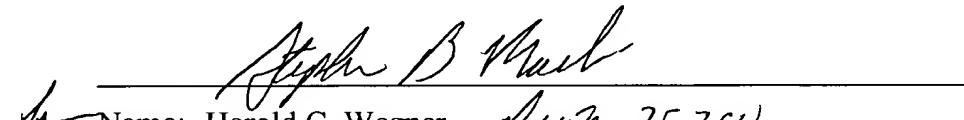
5. Copies of an International Form evidencing the deposit's receipt and viability are attached to this declaration.

6. All restrictions on public availability of the deposited hybridoma will be irrevocably removed upon the granting of a patent from the above-identified application.

7. The deposit will be replaced if viable samples cannot be dispensed by the depository.

8. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued therefrom.

Signed this 22nd day of December, 2003.


Name: Harold C. Wegner Reg. No 35,264
Reg. No. 25,258
Attorney for Applicants

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

〔特許手続上の微生物の寄託の国際的承認に関するブダペスト条約〕

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT

下記国際寄託当局によって規則7. 1に従い
発行されるissued pursuant to Rule 7. 1 by the
INTERNATIONAL DEPOSITORY AUTHORITY
identified at the bottom of this
page.

原寄託についての受託証

氏名 (名称)

小坂 昌明

寄託者

殿

あて名 ④ 770

徳島県徳島市八万町千鳥11-10

I. 微生物の表示

(寄託者が付した識別のための表示)

Mouse-mouse hybridoma HM1. 24

(受託番号)

FERM BP- 5233

II. 科学的性質及び分類学上の位置

1 桁の微生物には、次の事項を記載した文書が添付されていた。

科学的性質
 分類学上の位置

III. 受領及び受託

本国際寄託当局は、平成 7年 4月 27日 (原寄託日) に受領した1 桁の微生物を受託する。

IV. 移管請求の受領

本国際寄託当局は、平成 7年 4月 27日 (原寄託日) に1 桁の微生物を受領した。
そして、平成 7年 9月 14日に原寄託よりブダペスト条約に基づく寄託への移管請求を受領した。
(平成 7年 4月 27日に寄託された微生物寄託第 P- 14909 号より移管)

V. 国際寄託当局

通商産業省工業技術院生命工学工業技術研究所

名称: National Institute of Science and Human-Technology
Agency of Natural Resources and Energy
Science and Technology所長 大石 伸一 (シナカワ・ミツル)
Michio Oshita D. , DIRECTOR GENERAL.あて名: 日本国茨城県つくば市東二丁目1番3号 (郵便番号305)
1-3, Higashi 1 chome Tsukuba-shi Ibaraki-ken
305, JAPAN

特許手続上の微生物の考証の国際的承認
に関するブダペスト条約

BUDAPEST TREATY ON THE INTERNATIONAL
RECOGNITION OF THE DEPOSIT OF
MICROORGANISMS FOR THE PURPOSES OF
PATENT PROCEDURE

下記国際寄託当局によって規則10. 2に従い
発行される

VIABILITY STATEMENT

issued pursuant to Rule 10. 2 by the
INTERNATIONAL DEPOSITORY AUTHORITY
identified on the following page.

生存に関する証明書

氏名 (名称)

小坂 昌明

申請者

殿

あて名 ④ 770

徳島県徳島市八万町千鳥11-10

I. 寄託者		II. 微生物の表示
氏名 (名称) 小坂 昌明 あて名 ④ 770 徳島県徳島市八万町千鳥11-10		受託番号： FERM BP- 5233 受託の日： 平成 7年 4月 27 日
III. 生存試験の結果		
II欄の微生物の生存について 平成 7年 9月 19日に試験を実施した結果、当該微生物は、 <input checked="" type="checkbox"/> 生存していた。 <input type="checkbox"/> 生存していなかった。		
IV. 生存試験に際して使用した条件 (結果が否定的である場合のみ)		
<input type="checkbox"/> 微生物条件記録書の写し 1通		
V. 国際寄託当局		
通商産業省工業技術院生命工学工業技術研究所 National Institute of Science and Human-Technology Agency of Natural Science and Technology 所長 大石道夫 Michio Oishi, Ph.D., DIRECTOR GENERAL. あて名：日本茨城県つくば市東1-3番3号 (郵便番号305) 1-3, Higashi 1 chome Tsukuba-shi Ibaraki-ken 305, JAPAN		
平成 7年 (1995) 9月 22日		

DEPOSITOR
Name Masaaki KOSAKA

BUDAPEST TREATY ON THE INTERNATIONAL
RECOGNITION OF THE DEPOSIT OF
MICROORGANISMS FOR THE PURPOSES OF
PATENT PROCEDURE

Address 11-10, Chidori,
Hachiman-cho,
Tokushima-shi,
Tokushima

RECEIPT IN THE CASE OF AN ORIGINAL
DEPOSIT
issued pursuant to Rule 7.1 by the
INTERNATIONAL DEPOSITORY AUTHORITY
identified at the bottom of this page.

I. IDENTIFICATION OF THE MICROORGANISM

Identification reference given by the
DEPOSITOR: Mouse-mouse hybridoma HML.24

(Deposition Number)

FERM BP-5233

II. SCIENTIFIC DESCRIPTION AND/OR TAXONOMIC DESIGNATION

The microorganism identified under I above was accompanied by:

a scientific description

a proposed taxonomic designation

(Mark with a cross where applicable)

III. RECEIPT AND ACCEPTANCE

This International Depositary Authority accepts the
microorganism identified under I above, which was received by it on
April 27, 1995 (Date of the original deposit)¹.

IV. RECEIPT OF TRANSFER

This International Depositary Authority accepted the
microorganism identified under I above, on April 27, 1995 (Date of the
original deposit), and accepted a request for transfer to a deposition
under Budapest treaty from the original deposition, on September 14, 1995
(Transferred from FERM P14909 deposited on April 27, 1995).

V. INTERNATIONAL DEPOSITORY AUTHORITY

National Institute of Science and Human-Technology

Agency of Industrial Science and Technology

Director General Michio Oishi

1-3, Higashi 1 chome, Tsukuba-shi,
Ibaraki-ken, 305, Japan

September 14, 1995

BUDAPEST TREATY ON THE INTERNATIONAL
RECOGNITION OF THE DEPOSIT OF
MICROORGANISMS FOR THE PURPOSES OF
PATENT PROCEDURE

VIABILITY STATEMENT
issued pursuant to Rule 10.2 by the
INTERNATIONAL DEPOSITORY AUTHORITY
identified on the following page.

Depositor

Name Masaaki Kosaka

Address 11-10, Chidori,
Hachiman-cho,
Tokushima-shi,
Tokushima

I. Depositor	II. Identification of Microorganism
Name Masaaki Kosaka Address 11-10, Chidori Hachiman-cho Tokushima-shi Tokushima	Deposition No: FERM BP-5233 Deposition date: April 27, 1995
III. Result of Viability Test	
As a result of a viability test carried out on September 19, 1995, the microorganism was	
<input checked="" type="checkbox"/> Viable <input type="checkbox"/> Not viable	
IV. Conditions used in Viability test only if the result is negative.	
<input type="checkbox"/> Copy of Microorganism Condition Record One copy	
V. INTERNATIONAL DEPOSITORY AUTHORITY	
Name National Institute of Science and Human-Technology Agency of Industrial Science and Technology	
Representative Director General Michio Oishi	
<hr/> Address 1-3, Higasi 1 chome, Tsukuba-shi, Ibaraki-ken, 305, Japan	
September 22, 1995	